



Press Office
U.S. Department of Homeland Security



**Homeland
Security**

Press Release

June 20, 2007

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DHS Advances Initiative to Strengthen Border Security and Facilitate Entry into the United States *WHTI Land and Sea Notice of Proposed Rulemaking Published*

WASHINGTON – The U.S. Department of Homeland Security (DHS) and the U.S. Department of State (DOS) announced today the Notice of Proposed Rulemaking (NPRM) for the land and sea portion of the Western Hemisphere Travel Initiative (WHTI), a core 9/11 Commission recommendation. Proposed rules require a passport or other secure document denoting citizenship and identity for all land and sea travel into the United States.

“Secure documents are a national imperative that will prevent dangerous people from entering our country using fraudulent identification,” said DHS Secretary Michael Chertoff. “This initiative fixes a vulnerability first identified by the 9/11 Commission and later addressed by Congress. It will enhance our ability to assess threats and confirm identity at ports of entry, while continuing to facilitate lawful travel and commerce.”

As the first rational step as we move towards full WHTI implementation, DHS intends to end the routine practice of accepting oral declarations alone at land and sea ports of entry. On Jan. 31, 2008, U.S. and Canadian citizens will need to present either a WHTI-compliant document or a government-issued photo ID, such as a driver’s license, plus proof of citizenship, such as a birth certificate. DHS also proposes to begin alternative procedures for U.S. and Canadian children at that time.

At a later date to be determined by the Secretary of Homeland Security in consultation with the Secretary of State, the departments will implement the full requirements of the land and sea phase of WHTI. The implementation date will be determined based on a number of factors, including the progress of actions undertaken by the Department of Homeland Security to implement the WHTI requirements and the availability of WHTI compliant documents on both sides of the border. DHS and DOS expect the date of full WHTI implementation to be in the summer of 2008. The precise implementation date will be formally announced with at least 60 days notice.

The proposed rules require most U.S. citizens entering the United States at sea or land ports of entry to have either a U.S. passport; a U.S. passport card; a trusted traveler card such as NEXUS, FAST, or SENTRI; a valid Border Crossing Card; a valid Merchant Mariner Document (MMD) when traveling in conjunction with official maritime business; or a valid U.S. Military identification card when traveling on official orders. The NPRM also outlines ongoing efforts to provide other alternative documents.

For citizens of Canada, Bermuda and Mexico, the following documents are accepted forms of identification:

- Canadian citizens: May present a valid passport issued by the Government of Canada, or a valid trusted traveler program card such as NEXUS or FAST
- Bermudan citizens: May present a passport issued by the Government of Bermuda or the United Kingdom.
- Mexican citizens: As under current entry requirements, Mexican nationals, regardless of age, must present a passport issued by the Government of Mexico and a visa, or a valid Form DSP-150, B-1/B-2 laser visa (Border Crossing Card), or a valid SENTRI card.

The departments have also identified unique circumstances for specific groups of travelers that warrant permitting the use of alternative documents.

- U.S. citizens on round trip cruise ship voyages that originate and end in the United States may present a government-issued photo ID and birth certificates, Consular Reports of Birth Abroad or Certificates of Naturalization.
- U.S. and Canadian citizen children under 16 as well as children ages 18 and under traveling in designated groups may present certified copies of their birth certificates. U.S. children may also present Consular Reports of Birth Abroad or Certificates of Naturalization.
- Alien Members of the U.S. Armed Forces and Members of NATO-Member Armed Forces may present military identification and official orders.
- Members of the Kickapoo Band of Texas and Tribe of Oklahoma may present the Form I-872 American Indian Card.

The NPRM follows an Advance Notice of Public Rulemaking (ANPRM) for land and sea published in the Federal Register on Sept. 1, 2005, and a final rule for the Air Phase of WHTI that was published in the Federal Register on Nov. 24, 2006. WHTI requirements were implemented for all air travel on Jan. 23, 2007, and have shown compliance rates in excess of 99 percent since implementation.

DHS and DOS recently announced that U.S. citizens traveling to Canada, Mexico, the Caribbean, and Bermuda who have applied for but not yet received passports can nevertheless temporarily enter and depart from the United States by air with a government issued photo identification and Department of State official proof of application for a passport through Sept. 30, 2007. The federal government is making this accommodation for air travel due to longer than expected processing times for passport applications in the face of record-breaking demand.

WHTI requirements are the result of recommendations made by the 9/11 Commission, which Congress subsequently passed into law in the Intelligence Reform and Terrorism Prevention Act of 2004.

Standardized, secure and reliable documentation will enable the Department of Homeland Security to quickly, reliably and accurately identify travelers at air, land and sea ports-of-entry. Investigators have repeatedly stressed the security risk posed to border security by the approximately 8,000 forms of identification currently in use, and the challenge at the borders in assessing individual travelers based on these many documents without significantly slowing the processing time for admission into the United States. Limiting and standardizing the types of documents presented will result in a more secure and efficient border.

The departments of Homeland Security and State are committed to ensuring a smooth transition and mitigating any negative impact on legitimate trade and travel. The departments fully recognize the need for a delicate balance between increased security and minimizing social and commercial impacts on international travelers and U.S. citizens, particularly residents living along the border.

The Land and Sea NPRM is currently available at www.dhs.gov and will soon be published in the Federal Register. Once published, citizens wishing to comment on the proposed rule, including the economic assessment, may access the Federal e-Rulemaking Portal at www.regulations.gov and follow the instructions for submitting comments. Submissions must include the agency name and docket number "USCBP 2007-0004."

Those wishing to comment on the environmental assessment may also access the Federal e-Rulemaking Portal at www.regulations.gov and follow the instructions for submitting comments. Submissions must include the agency name and docket number "USCBP 2007- 0061."

For more information, visit www.dhs.gov or www.travel.state.gov.

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